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C O N F I D E N T I A L SECTION 01 OF 02 PRETORIA 004838

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SUBJECT: ANC RESPONDS TO SEXUAL HARASSMENT ALLEGATIONS

Classified By: Deputy Chief of Mission Don Teitelbaum.
Reasons 1.4 (b) and (d).

¶1. (SBU) ANC National Assembly Chief Whip Mbuelo Goniwe was effectively stripped of his powers on 17 November, pending the outcome of a hearing by the party's National Disciplinary Committee (NDC). Goniwe is alleged to have demanded sex from a 21-year-old ANC intern on 25 October after she served dinner to guests celebrating his birthday. The Chairperson of the ANC parliamentary caucus, Vytjie Mentor, has confirmed publicly that the alleged victim reported her concerns to the female Speaker of the National Assembly, Baleka Mbete. Kader Asmal, of the NDC, also confirmed that there is evidence of attempts by ANC members to pressure the complainant to drop the charges. In the meantime, the NDC announced that Goniwe will remain on a leave of absence until January, when the case is heard.

CASE PROGRESSION BYPASSES MALES

¶2. (SBU) Thus far, the case's progression has been anything but linear. Mentor first took the complaint to the women's caucus and parliament's female presiding officers after the incident was reported to her. The women's caucus then forwarded their recommendations to the ANC national leadership. Mentor has admitted that she did not take the case to caucus whips because they are predominantly male and led by Goniwe. The male-dominated ruling party's main caucus has yet to make an official comment. (COMMENT: The ANC likely is dealing with the matter because the alleged victim is an intern under the employ of the ANC, not the institution of Parliament. Post is not aware of any criminal complaint being lodged against Goniwe at this point. END COMMENT.)

WOMEN'S LEAGUE BACK IN SPOTLIGHT

¶3. (C) The ANC Women's League, which has been relatively quiet since coming out strongly against former Deputy President Jacob Zuma during his rape trial, was the first to call publicly for Goniwe's immediate suspension earlier this week. In its statement, the Women's League said that while it respected Goniwe's right to be presumed innocent until proven guilty, it condemned "in the strongest terms any act of sexual harassment and any abuse of office for sexual or any other benefit." (NOTE: Goniwe is alleged to have said, "I thought you were a good Xhosa girl. How can you say no to your Chief Whip as if I am an ordinary man?") The General Secretary of the Women's League, Bathabile Dlamini, told

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PolCouns on 21 November that her members originally wanted to call for his immediate dismissal, but eventually settled on a more balanced statement. Dlamini also added that the ANC's National Executive Committee (NEC) was caught off-guard by their timely and strong statement, even though the Women's League has warned the NEC that women "have had it" with sexual harassment. Though the ANC has responded quickly, Dlamini is not optimistic about long-term results, repeating three times that males within the party are now "closing ranks."

NOT NEW TO CONTROVERSY

¶4. (SBU) This is not the first time Goniwe has been embroiled in controversy. According to press reports, Goniwe was accused of sexually harassing another woman in the Eastern Cape in August 2005. The woman told reporters that she lodged a complaint with several Provincial Executive Committee members, but never heard back. Goniwe has come under fire more recently for apparently failing to pay roughly \$100 USD a month in child support for two of his children (NOTE: Goniwe is rumored to have additional children with at least two other parliamentary staff.) Thus far, he has invoked parliamentary privilege to prevent the serving of legal papers ordering child support on Parliament grounds.

¶5. (U) An anonymous fax complaining of more widespread sexual harassment in Parliament also has been circulated to members of the ANC caucus and Women's League this week. The fax, which focuses largely on Goniwe and another male MP, alleges that some male MPs display an attitude of sexual entitlement which results in not only day-to-day harassment,

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but also an entrenched pattern of insisting on sexual favors in return for career advancement.

TRADITIONALISTS UNHAPPY WITH GOVERNMENT RESPONSE

¶6. (SBU) The alleged victim's family reportedly prefers to have traditional leaders in the Eastern Cape handle the matter. Edward Bezana, a human rights lawyer and family spokesperson, said the alleged victim was supposed to have attended a meeting with both families, elders, and local chiefs on 03 November to discuss the matter, but she did not show, choosing instead to bring her complaint to the ANC. Mentor has protected the alleged victim from attempts by family members to force her to return home to face a traditional court. According to Bezana, if Goniwe were found guilty, he could be fined five cows, but the outcome would never be publicly known because of the disgraceful nature of the claims.

¶7. (SBU) The alleged victim's father also has complained that the incident has been "deliberately exaggerated" and that his daughter is being used in a political campaign by certain people with their own agenda. (NOTE: The father is likely referring to Goniwe's bid for the position of Eastern Cape Secretary. Goniwe told reporters he will let the four regions that nominated him decide whether he should still run in the election next week. END NOTE.) Though one family member has commended her strength, others have branded her "disrespectful," contending that her allegations are dividing the people of Pondoland because Goniwe is also their "son."

COMMENT

¶8. (C) On the eve of the national campaign, "Sixteen Days of Activism Against the Abuse of Women and Children," the ANC's swift and public action should be commended. However, it is unclear if the ANC would have taken such disciplinary action had the ANC Women's League not been so vocal or had Chairperson Mentor left the matter to the male-dominated caucus whips. The reactions of Goniwe's colleagues who tried to pressure the victim into recanting her statement and the role traditional leaders are trying to play all support the Women's League's argument that South Africa still has a long road ahead before sexual harassment becomes unacceptable or even punishable.

¶9. (C) If Goniwe is permanently dismissed, which is widely expected, a new election for a Chief Whip will have to take place amidst an intensifying succession race within the party. While the Chief Whip does not set policy, he or she enforces it and the position remains high-profile. An eventual Goniwe replacement will most likely be one of the existing Committee Chairpersons who have shown a tendency to enforce ANC policy without question.

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